

# EXHIBIT 1

Volume 8

Pages 1124 - 1283

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BEFORE THE HONORABLE SUSAN ILLSTON, JUDGE

IN RE: TFT-LCD (FLAT-PANEL) )  
ANTITRUST LITIGATION. ) NO. C 07-MDL-1827 SI

San Francisco, California  
Thursday  
August 1, 2013  
8:37 a.m.

Individual Cases:  
CASE NO. 10-CV-4572  
CASE NO. 12-CV-4114

TRANSCRIPT OF PROCEEDINGS

APPEARANCES:

For Best Buy Plaintiffs:

ROBINS, KAPLAN, MILLER & CIRESI LLP  
2049 Century Park East  
Suite 3400  
Los Angeles, California 90067  
BY: ROMAN M. SILBERFELD, ESQ.  
DAVID MARTINEZ, ESQ.  
LAURA E. NELSON, ESQ.  
BERNICE CONN, ESQ.  
MICHAEL A. GEIBELSON, ESQ.

For Defendant HannStar Display Corporation:

FREITAS TSENG & KAUFMAN, LLP  
100 Marine Parkway  
Suite 200  
Redwood Shores, California 94065  
BY: ROBERT E. FREITAS, ESQ.  
JASON SHEFFIELD ANGELL, ESQ.  
JESSICA NICOLE LEAL, ESQ.

(Appearances continued, next page)

## FRITZ- CROSS EXAMINATION / CURRAN

1 Q And this email is dated July 7, correct?

2 A Yes.

3 Q So this is talking about Circuit City's pricing in this  
4 Dadeland store through the end of July. Correct?

5 A It actually says their "offer." Doesn't say their  
6 "pricing."

7 Q Okay. Running with their offer, through the end of July?

8 A That's what it says.

9 Q And, what do you understand "offer" to mean in this  
10 context?

11 A I don't recall this specific instance, but "offer" could  
12 be a promotion. It could be a number of things.

13 Q Okay. And then, continuing (As read):

14 "Also while talking to one of the managers he informed me that  
15 their corporate office is telling the regional, district and  
16 store management teams that Best Buy is starting an all out  
17 pricing war to put CC out of business and that they will be  
18 launching pre-emptive strikes in the form of aggressive  
19 financing, promotions and floor pricing and that some stores  
20 have been told to kick out any Best Buy employed shoppers if  
21 they think they are writing or even recording prices. This  
22 came from a manager that has known me for 8 years."

23 Do you see that, ma'am?

24 A I do.

25 Q So Mr. Green, here, is reporting on a discussion he had

## FRITZ- CROSS EXAMINATION / CURRAN

1 with one of the managers at the Dadeland Circuit City.

2 Correct?

3 **A** It appears that way, yes.

4 **Q** In your judgment, is this, the conduct reflected in this  
5 email, consistent with Best Buy's ethics policy, ethics code?

6 **MR. SILBERFELD:** Objection, Your Honor. Vague as to  
7 which conduct.

8 **THE COURT:** Can you specify?

9 **MR. CURRAN:** Yes.

10 **BY MR. CURRAN:**

11 **Q** Ms. Fritz, the second sentence of the email has a  
12 reference to "...while talking to one of the managers he  
13 informed me..." and then it continues on.

14 In your judgment, is it consistent with Best Buy's code of  
15 ethics for Mr. Green to have been talking with one of the  
16 managers at the Dadeland Circuit City about the subjects  
17 reflected in this email?

18 **A** I would say it was not common practice, no.

19 **Q** That -- my question was, was it consistent with Best Buy's  
20 code of ethics?

21 **A** I would say no.

22 **Q** Why not?

23 **A** Because part of our code of ethics is to make sure that  
24 we're looking at information in terms of the competitive  
25 context, and not engaging in conversations.

## FRITZ- CROSS EXAMINATION / CURRAN

1 And then it goes on to give details about the changes in  
2 Circuit City's price match policy. Correct?

3 **A** Correct.

4 **Q** And this email is dated November 18, 2006. Correct?

5 **A** It appears that way, yes.

6 **Q** Okay. So that, that email indicates a discussion or -- or  
7 information being provided from an acquaintance of Mr. Jacobsen  
8 at Circuit City. Correct?

9 **A** I don't know. I don't know who Mr. Jacobsen is, or who  
10 Mr. Rogers is.

11 **Q** Farther up the email chain there is the -- second-to-last  
12 in time, there is an email from Mike Ray. Do you see that one?  
13 Dated November 19, 2006, at 3:28 p.m.?

14 **A** I do.

15 **Q** Now, Mike Ray, you know; we've talked about him already.  
16 He was an employee, senior employee at Best Buy. Correct?

17 **A** Correct.

18 **Q** And, he writes (As read):

19 "Glen.. On it.. We're going to have the teams ping their  
20 contacts to validate this change is hitting all markets."

21 Do you see that?

22 **A** Yes.

23 **Q** And, by that email, Mr. Ray was stating that the team at  
24 Best Buy or the teams at Best Buy would be pinging their  
25 contacts at Circuit City. Correct?